

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - PR&RD Department – Sri P. Prabhakar Rao, Assistant Engineer, M.P., Maidipalli, P.R. Division, Jagitial, Karimnagar District - Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charge – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IA) DEPARTMENT

G.O.Rt.No. 1070

Date:21-07-2010.

ORDER:

It is proposed to hold an enquiry against Sri P. Prabhakar Rao, Assistant Engineer, M.P., Maidipalli, P.R. Division, Jagitial, Karimnagar District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri P. Prabhakar Rao, Assistant Engineer, M.P., Maidipalli, P.R. Division, Jagitial, Karimnagar District is directed to submit within (10) days of the receipt of this order, a written statement of his defence.

4. Sri P. Prabhakar Rao, Assistant Engineer, M.P., Maidipalli, P.R. Division, Jagitial, Karimnagar District is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P. Prabhakar Rao, Assistant Engineer, M.P., Maidipalli, P.R. Division, Jagitial, Karimnagar District is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri P. Prabhakar Rao, Assistant Engineer, M.P., Maidipalli, P.R. Division, Jagitial, Karimnagar District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri P. Prabhakar Rao, Assistant Engineer, M.P., Maidipalli, P.R. Division, Jagitial, Karimnagar District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Memorandum be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY

SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri P. Prabhakar Rao, Assistant Engineer, M.P., Maidipalli, P.R. Division, Jagitial, Karimnagar District through the Engineer-in-Chief, RWS&S, Hyderabad.

The Engineer-in-Chief, PR, Hyderabad (in duplicate with a request to serve and return the dated acknowledgement copy).

Copy to:

The PR&RD (Estt.II) Department.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI P. PRABHAKAR RAO, ASSISTANT ENGINEER, M.P., MAIDIPALLI, P.R. DIVISION, JAGITIAL, KARIMNAGAR DISTRICT

CHARGE:

That the said Sri P. Prabhakar Rao, Assistant Engineer, M.P., Maidipalli, has committed certain irregularities in execution of work "Road from Kondapur to Oddad, Maidipalli (M)".

- (a) He recorded measurements with ante dates to facilitate the contractor for price escalation claims, for want of personal gain.
- (b) Due to deficiency in weight of Gr.III metal and over size in Gr.II and Gr.III metal layers, an amount of Rs.34,636/- (Rs. 22,385/- + Rs.12,251/-) needs recovery.

BASIS:

As verified by the Vigilance & Enforcement officials, the work "Road Kondapur to Oddad, Maidipalli (M)" was taken up under PMGSY Phase-V for Rs.169.72/253.00 lakhs and entrusted to M/s. Sri Sai Ram Enterprises, Jagtial at (+) 3.69% excess over the estimate contract value (ECV). As per agreement, the actual date of completion is 06.08.2007 and the work was physically completed as on the date of inspection i.e. on 21.08.2008.

As verified from the records, LS 6th and 7th part bills were released on 05.01.2008 and 18.03.2008 respectively. But the measurements were recorded on the dates shown below;

BILL	DATE OF RECORDING	DATE OF BILL PAID
V & PART BILL GSB WBM Gr. II C.C. Work	11.06.2007 19.06.2007 25.06.2007	28.07.2007
VI & PART BILL WBM Gr.II WBM Gr.III	25.06.2007 10.07.2007	05.01.2008
VII & PART BILL WBM & Gr. II WBM Gr. III OGPC + SC	04.07.07 16.07.2007 18.07.2007	18.03.2008

As seen from the above particulars, if all the measurements were recorded prior to date of LS V & Part Bill, the quantities would have been included in LS V & Part Bill. But subsequently, LS VI & LS VII Part bills were also paid on 05.01.2008 and 18.03.2008 respectively without including the above measurements recorded prior to 28.07.2007.

As per the norms, measurements for any component of the work shall be recorded in M.Book, only when the work is executed as per the specifications to the satisfaction of the Engineer-in-Charge and payments shall be released accordingly. If any rectification is required, it shall be taken up by the contractor concerned at his cost during the defect liability period as per agreement conditions.

Even though measurements were recorded prior to agreement completion dates/EOAT and there was no paucity of funds, the same were not incorporated in the immediate subsequent bills for payment which indicates that the measurements were recorded with back dates to facilitate price escalation claims for the contractors.

This clearly indicates that the Delinquent Officer recorded the measurements with ante dates to facilitate the contractor for benefits.

(P.T.O.)

Further, as per the tests conducted on metal layers, deficiency in weight of Gr. III metal in reach from KM 9/0 to 10/0 and over size in Gr.II and Gr.III metal layers in the reach KM 1/0 to 2/0, KM 3/0 to 4/0, KM 5/0 to 6/0, KM 9/0 to 10/0, for which a total amount of Rs.34,636/- paid excess than the work actually executed resulting which the work was executed with less quality and the amount is to be recovered.

Hence, the charge.

M.V.P.C. SASTRY
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-II

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST P. PRABHAKAR RAO, ASSISTANT ENGINEER, M.P., MAIDIPALLI, P.R. DIVISION, JAGITIAL, KARIMNAGAR DISTRICT ARE PROPOSED TO BE SUSTAINED

Vigilance Report No. 25(1520/V&E/E2/2007), Dt.: 22.03.2010 of the Director General, Genl. Admn. (V&E) Dept.

M.V.P.C. SASTRY
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI P. PRABHAKAR RAO, ASSISTANT ENGINEER, M.P., MAIDIPALLI, P.R. DIVISION, JAGITIAL, KARIMNAGAR DISTRICT ARE PROPOSED TO BE SUSTAINED

-NIL-

M.V.P.C. SASTRY
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER